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aperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. Application Number 10/698.702 TRANSMITTAL Filing Date October 31, 2003 **FORM** First Named Inventor Charles L. Branch Art Unit 3733 Examiner Name Pedro Philogene (to be used for all correspondence after initial filing) Attorney Docket Number MSDI-186/PC365.07 Total Number of Pages in This Submission **ENCLOSURES** (Check all that apply) After Allowance Communication to TC Fee Transmittal Form Drawing(s) Appeal Communication to Board Licensing-related Papers Fee Attached of Appeals and Interferences Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) Petition Amendment/Reply Petition to Convert to a Proprietary Information **Provisional Application** After Final Power of Attorney, Revocation Status Letter Change of Correspondence Address Affidavits/declaration(s) Other Enclosure(s) (please Identify Terminal Disclaimer Extension of Time Request below): Return Reciept Post Card Request for Refund **Express Abandonment Request** CD, Number of CD(s) Information Disclosure Statement Landscape Table on CD Certified Copy of Priority Remarks Document(s) Reply to Missing Parts/ Incomplete Application Reply to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Name Krieg DeVault LLP Signature Printed name Brad A. Schepers Date Reg. No. 45,431 September 11, 2008 **CERTIFICATE OF TRANSMISSION/MAILING** I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below: Signature Date Brad A. Schepers September 11, 2008 Typed or printed name

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of: Charles L. Branch et al.)	Before the Examiner: Pedro Philogene
Application of Serial No. 10/698,702)	Group Art Unit 3733
Filed October 31, 2003))	Ref. No. MSDI-186/ PC365.07
INTERBODY FUSION GRAFTS AND INSTRUMENTATION))	September 11, 2008

RESPONSE TO RESTRICTION REQUIREMENT UNDER 35 U.S.C. § 121

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

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In response to the Restriction Requirement dated August 14, 2008, please enter and consider the following remarks. Additionally, please provide any extensions of time necessary and charge any additional fees which may be necessary to Deposit Account No. 12-2424, but not to include any payment of issue fees.

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